



0000112458

21C  
CD

**BEFORE THE ARIZONA CORPORATION C**

**COMMISSIONERS**

Arizona Corporation Commission

**DOCKETED**

JUN - 3 2010

DOCKETED BY	ne
-------------	----

KRISTIN K. MAYES, Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF THE APPLICATION OF MY  
TEL CO, INC., TO CANCEL ITS CERTIFICATE  
OF CONVENIENCE AND NECESSITY TO  
PROVIDE COMPETITIVE RESOLD LOCAL  
EXCHANGE TELECOMMUNICATIONS  
SERVICES IN ARIZONA.

DOCKET NO. T-20486A-09-0588

DECISION NO. 71705

**ORDER**

Open Meeting  
May 26 and 27, 2010  
Phoenix, Arizona

**BY THE COMMISSION:**

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the  
Commission finds, concludes, and orders that:

**FINDINGS OF FACT**

1. In Commission Decision No. 71224 (August 6, 2009), the Arizona Corporation  
Commission ("Commission") granted My Tel Co, Inc. ("My Tel") a Certificate of Convenience and  
Necessity ("CC&N") to provide resold local exchange and resold long distance telecommunications  
services within the State of Arizona.

2. On December 31, 2009, My Tel filed an application with the Commission to cancel its  
CC&N to provide resold local exchange telecommunication services in Arizona. My Tel's  
application states that due to the current economic climate, My Tel is unable to post the \$25,000  
performance bond or irrevocable sight draft letter of credit ("ISDLOC") required in Decision No.  
71224, and My Tel requests cancellation of its authority to provide resold local exchange  
telecommunication services in Arizona.

1           3.       On March 19, 2010, Staff filed a memorandum in response to My Tel's application to  
2 cancel its authority to provide resold local exchange telecommunications services and recommends  
3 approval of the application. Staff verified that My Tel has not commenced resold local exchange  
4 services in Arizona; has never collected advance payments or deposits from Arizona customers; and  
5 Staff believes, cancelling My Tel's authority to provide resold local exchange poses no risk to  
6 customers. Staff further recommends waiver of Arizona Administrative Code Rule 14-2-1107, which  
7 requires legal notice of My Tel's request to cancel its resold services because My Tel has not  
8 commenced service to Arizona customers. Staff also recommends waiver of the requirement that My  
9 Tel file a confirming tariff for its resold local exchange services as set forth in Decision No. 71224;  
10 and that My Tel's authority to provide resold long distance services in Arizona remain in effect.

11           4.       The Commission's Consumer Services Division reports that no complaints, inquires,  
12 or opinions have been filed against My Tel.

13           5.       According to the Commission's Corporation Division, My Tel is in good standing  
14 with the Commission.

15           6.       Staff believes there are alternative carriers to provide resold local exchanges services  
16 in Arizona and cancellation of My Tel's authority to provide such service is in the public interest.

17           7.       Staff's recommendations are reasonable and should be adopted.

#### 18                               CONCLUSIONS OF LAW

19           1.       My Tel is a public service corporation within the meaning of Article XV of the  
20 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

21           2.       The Commission has jurisdiction over My Tel and of the subject matter of the  
22 application.

23           3.       The cancellation of the portion of My Tel's CC&N to provide resold local exchange  
24 services in Arizona is in the public interest.

25       ...

26       ...

27       ...

**ORDER**

IT IS THEREFORE ORDERED that My Tel Co, Inc's application to cancel the authority, granted in Commission Decision No. 71224 (August 6, 2009), to provide resold local exchange telecommunications services in Arizona is hereby granted.

IT IS FURTHER ORDERED that Commission Decision No. 71224 (August 6, 2009), shall be amended to delete the requirement that My Tel Co, Inc., file conforming tariffs related to its resold local exchange telecommunications services in Arizona.

IT IS FURTHER ORDERED that My Tel Co, Inc's authority to provide resold long distance telecommunications services in Arizona, granted in Commission Decision No. 71224 (August, 2009), shall remain in effect until further Order of the Commission.

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

IT IS FURTHER ORDERED that the requirements under Arizona Administrative Code R14-2-1107 are hereby waived.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

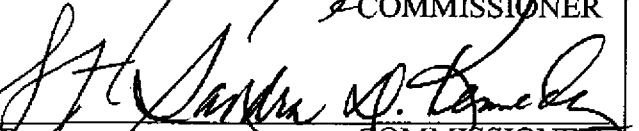
BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

  
CHAIRMAN

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 3rd day of June, 2010.

  
ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

1 SERVICE LIST FOR: MY TEL CO, INC.

2 DOCKET NO.: T-20486A-09-0588

3

4 Michael Harrington  
5 MY TEL CO., INC.  
6 445 Hamilton Ave., Suite 601  
7 White Plains, NY 10601

8 Janice Alward, Chief Counsel  
9 Legal Division  
10 ARIZONA CORPORATION COMMISSION  
11 1200 West Washington Street  
12 Phoenix, AZ 85007

13 Steven Olea, Director  
14 Utilities Division  
15 ARIZONA CORPORATION COMMISSION  
16 1200 West Washington Street  
17 Phoenix, AZ 85007

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34